

53A-2-206.5. Definitions.

As used in Sections 53A-2-207 through 53A-2-213:

(1) "Early enrollment" means:

(a) except as provided in Subsection (1)(b), application prior to the third Friday in February for admission for the next school year to a school that is not a student's school of residence; and

(b) application prior to November 1 for admission for the next school year to a school that is not a student's school of residence if:

(i) the school district is doing a district wide grade reconfiguration of its elementary, middle, junior, and senior high schools; and

(ii) the grade reconfiguration described in Subsection (1)(b) will be implemented in the next school year.

(2) (a) "Early enrollment school capacity" or "maximum capacity" means the total number of students who could be served in a school building if each of the building's instructional stations were to have the enrollment specified in Subsection (2)(b).

(b) (i) Except as provided in Subsection (2)(b)(ii):

(A) for an elementary school, an instructional station shall have an enrollment at least equal to the school district's average class size for the corresponding grade; and

(B) for a middle, junior, or senior high school, an instructional station shall have an enrollment at least equal to the district's average class size for similar classes.

(ii) (A) A local school board shall determine the instructional station capacity for laboratories, physical education facilities, shops, study halls, self-contained special education classrooms, facilities jointly financed by the school district and another community agency for joint use, and similar rooms.

(B) Capacity for self-contained special education classrooms shall be based upon students per class as defined by State Board of Education and federal special education standards.

(3) (a) "Instructional station" means a classroom, laboratory, shop, study hall, or physical education facility to which a local board of education could reasonably assign a class, teacher, or program during a given class period.

(b) More than one instructional station may be assigned to a classroom, laboratory, shop, study hall, or physical education facility during a class period.

(4) "Late enrollment" means application:

(a) after the third Friday in February for admission for the next school year to a school that is not the student's school of residence; or

(b) for admission for the current year to a school that is not the student's school of residence.

(5) (a) "Late enrollment school capacity" or "adjusted capacity" means the total number of students who could be served in a school if each teacher were to have the class size specified in Subsection (5)(b).

(b) (i) An elementary school teacher shall have a class size at least equal to the district's average class size for the corresponding grade.

(ii) A middle, junior, or senior high school teacher shall have a class size at least equal to the district's average class size for similar classes.

(6) "Nonresident student" means a student who lives outside the boundaries of the school attendance area.

- (7) "Open enrollment threshold" means:
 - (a) for early enrollment, a projected school enrollment level that is the greater of:
 - (i) 90% of the maximum capacity; or
 - (ii) maximum capacity minus 40 students; and
 - (b) for late enrollment, actual school enrollment that is the greater of:
 - (i) 90% of adjusted capacity; or
 - (ii) adjusted capacity minus 40 students.
- (8) "Projected school enrollment" means the current year enrollment of a school as of October 1, adjusted for projected growth for the next school year.
- (9) "School attendance area" means an area established by a local school board from which students are assigned to attend a certain school.
- (10) "School of residence" means the school to which a student is assigned to attend based on the student's place of residence.

Amended by Chapter 67, 2012 General Session